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5	NOT FOR PUBLICATION
6	IN THE UNITED STATES DISTRICT COURT
7	FOR THE DISTRICT OF ARIZONA
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9	William Sharkozy,) No. CV-08-0637-PHX-FJM
10	Plaintiff, ORDER
11	vs.
12	Superior Court of Gila County, et al.,
13	Defendants.
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17	The court has before it defendants' motion to dismiss (doc. 7), and plaintiff's respons
18	(doc. 9).
19	Plaintiff filed a one-page complaint alleging that the Superior Court of Arizona in Gil
20	County and Superior Court Judge Peter J. Cahill have "broken our laws and made illegated and superior Court Judge Peter J. Cahill have "broken our laws and made illegated and superior Court Judge Peter J. Cahill have "broken our laws and made illegated and superior Court Judge Peter J. Cahill have "broken our laws and made illegated and superior Court Judge Peter J. Cahill have "broken our laws and made illegated and superior Court Judge Peter J. Cahill have "broken our laws and made illegated and superior Court Judge Peter J. Cahill have "broken our laws and made illegated and superior Court Judge Peter J. Cahill have "broken our laws and made illegated and superior Court Judge Peter J. Cahill have "broken our laws and made illegated and superior Court Judge Peter J. Cahill have "broken our laws and made illegated and superior Court Judge Peter J. Cahill have "broken our laws and made illegated and superior Court Judge Peter J. Cahill have "broken our laws and made illegated and superior Court Judge Peter J. Cahill have "broken our laws and broken o
21	decisions during Court Hearings," and treated him unfairly in relation to his state court action
22	(Gila Superior Court No. GC2006-0026). Defendants now move to dismiss the complain
23	for lack of subject matter jurisdiction and failure to state a claim upon which relief can b
24	granted. Fed. R. Civ. P. 12(b)(1), (6).
25	Defendants present numerous arguments in support of their motion. They first
26	contend that we have no jurisdiction to review a final decision of a state court. We agree
27	If in fact the complaint is intended to raise claims challenging rulings by the Superior Cour
28	we are without jurisdiction to consider them. See MacKay v. Pfeil, 827 F.2d 540, 543 (9t

Cir. 1987) ("Federal district courts, as courts of original jurisdiction, may not serve as appellate tribunals to review errors allegedly committed by state courts.").

We also agree with defendants that any claims against the Superior Court or Judge Cahill in his official capacity are barred by the Eleventh Amendment and must be dismissed. The Eleventh Amendment prohibits lawsuits by private litigants against the State, its agencies, or its employees in their official capacities. Edelman v. Jordan, 415 U.S. 651, 663, 94 S. Ct. 1347, 1356 (1974). The Superior Court of Arizona is a state court, not a county court. Ariz. Const. art. 6, § 13.

Even if plaintiff's claims are liberally construed as brought pursuant to 42 U.S.C. § 1983, they must also be dismissed. Neither the State, its agencies, nor its officials acting in their official capacities, are "persons" within the meaning of § 1983. Will v. Michigan Dept. of State Police, 491 U.S. 58, 71, 109 S. Ct. 2304, 2312 (1989). The claims against the Superior Court and Judge Cahill in his official capacity are not cognizable under § 1983 and are dismissed.

Finally, defendants contend that any claims brought against Judge Cahill in his individual capacity must be dismissed as they are barred by the doctrine of absolute judicial immunity. Judges are absolutely immune from liability for acts within their judicial roles. Pierson v. Ray, 386 U.S. 547, 554, 87 S. Ct. 1213, 1218 (1967). The allegations against Judge Cahill are solely related to his rulings in plaintiff's state lawsuit. See Response at 2. Therefore, Judge Cahill is entitled to absolutely immunity for these claims and they are dismissed.

IT IS ORDERED GRANTING defendants' motion to dismiss (doc. 7). The clerk shall enter final judgment.

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1	Plaintiff is advised to seek the advice of counsel. If he is aggrieved by the judgment
2	of the Superior Court, he may seek further judicial review within the state system
3	DATED this 30 th day of May, 2008.
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6	Frederick J. Martone Frederick J. Martone United States District Judge
7	United States District Judge
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